

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s)	: Modak et al.	Customer No.	: 21003
Serial No.	: 10/622,272	Confirmation No.	: 4202
Filed	: July 17, 2003	Group Art Unit	: 1614
Examiner	: James D. Anderson		
For	: Zinc Salt Compositions For The Prevention Of Dermal And Mucosal Irritation		

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicants bring to the attention of the Examiner the documents listed below and on the attached Form PTO 1449 and respectfully request that the listed documents be considered by the Examiner and made of record in the above-captioned application. Copies of all U.S. Patents and Applications are not enclosed pursuant to the waiver of 37 CFR 1.98 (a)(2)(i) for all applications filed after June 30, 2003. A copy of the International Search Report issued in related International Application No. PCT/US06/21626 is enclosed.

1. Kling et al., U.S. Patent Application No. 2006/0141017 A1, published June 29, 2006 for "Zinc-Based Compositions And Methods Of Use".
2. Modak et al, U.S. Patent Application No. 2005/001431 A1, published January 27, 2005.

3. Modak et al., International Publication No. WO 03/066001 A2, issued August 14, 2003 for “Zinc Salt Compositions For The Prevention Of Mucosal Irritation For Spermicides And Microbicides”.
4. Modak et al, U.S. Patent No. 6,037,386 A, issued March 14, 2000 for “Composition For Inactivating Irritants In Fluids”.
5. Modak et al., U.S. Patent No. 5,965,610 A, issued October 12, 1999 for “Composition For Inactivating Irritants In Fluids”.
6. Modak et al., U.S. Patent No. 5,708,023 A, issued January 13, 1998 for “Zinc Gluconate Gel Compositions”.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitute “prior art.” If the Examiner applies the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute “prior art” under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of the documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should the documents be applied against the claims of the present application.

Applicants believe no fee is due in connection with this submission. If any additional fee is due, or if any overpayment has been made, the Commissioner is authorized to charge any such fee or credit any overpayment, to our Deposit Account No. 02-4377.

Respectfully submitted,

BAKER BOTTS L.L.P.

March 8, 2007

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<b>Form PTO-1449 U.S. Department of Commerce (REV. 2-82) Patent and Trademark Office</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use several sheets if necessary)	Atty. Docket No. 070050.2429	Serial No. 10/622,272
	Applicant Shanta M. Modak	
	Filing Date 07/17/2003	Group 1614
	Examiner James D. Anderson	

### U.S. PATENT DOCUMENTS

Exam Initial	No.	Document No.	Publication Date	Applicant(s)
	1.	2006/0141017 A1	06/29/2006	Kling et al.
	2.	2005/001431 A1	01/27/2005	Modak et al.
	4.	6,037,386 A	03/14/2000	Modak et al.
	5.	5,965,610 A	10/12/1999	Modak et al.
	6.	5,708,023 A	01/13/1998	Modak et al.

### FOREIGN PATENT DOCUMENTS

Exam. Initial	No.	Document No.	Issue/Publication Date	Applicant(s)
	3.	WO 03/066001 A2	08/14/2003	Modak et al.

NY02:578400.1

Examiner

Date Considered

\* Examiner: Initial citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.